

106TH CONGRESS  
1ST SESSION

# S. 1260

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## AN ACT

To make technical corrections in title 17, United States  
Code, and other laws.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TECHNICAL CORRECTIONS TO TITLE 17,**  
 2 **UNITED STATES CODE.**

3 (a) EXEMPTION OF CERTAIN PERFORMANCES AND  
 4 DISPLAYS ON EXCLUSIVE RIGHTS.—Section 110(5) of  
 5 title 17, United States Code, is amended—

6 (1) by striking “(A) a direct charge” and in-  
 7 serting “(i) a direct charge”; and

8 (2) by striking “(B) the transmission” and in-  
 9 serting “(ii) the transmission”.

10 (b) EPHEMERAL RECORDINGS.—Section 112(e) of  
 11 title 17, United States Code, is amended—

12 (1) by redesignating paragraphs (3) through  
 13 (10) as paragraphs (2) through (9), respectively;

14 (2) in paragraph (3), as so redesignated, by  
 15 striking “(2)” and inserting “(1)”;

16 (3) in paragraph (4), as so redesignated—

17 (A) by striking “(3)” and inserting “(2)”;

18 (B) by striking “(4)” and inserting “(3)”;

19 (C) by striking “(6)” and inserting “(5)”;

20 and

21 (D) by striking “(3) and (4)” and insert-  
 22 ing “(2) and (3)”;

23 (4) in paragraph (6), as so redesignated—

24 (A) by striking “(4)” each place it appears  
 25 and inserting “(3)”;

1 (B) by striking “(5)” each place it appears  
 2 and inserting “(4)”.

3 (c) DETERMINATION OF REASONABLE LICENSE  
 4 FEES FOR INDIVIDUAL PROPRIETORS.—Chapter 5 of title  
 5 17, United States Code, is amended—

6 (1) by redesignating the section 512 entitled  
 7 **“Determination of reasonable license fees**  
 8 **for individual proprietors”** as section 513  
 9 and placing such section after the section 512 enti-  
 10 tled **“Limitations on liability relating to**  
 11 **material online”**; and

12 (2) in the table of sections at the beginning of  
 13 that chapter by striking

“512. Determination of reasonable license fees for individual proprietors.”

14 and inserting

“513. Determination of reasonable license fees for individual proprietors.”

15 and placing that item after the item entitled

“512. Limitations on liability relating to material online.”.

16 (d) ONLINE COPYRIGHT INFRINGEMENT LIABIL-  
 17 ITY.—Section 512 of title 17, United States Code, is  
 18 amended—

19 (1) in subsection (e)—

20 (A) by amending the caption to read as  
 21 follows:

22 **“(e) LIMITATION ON LIABILITY OF NONPROFIT EDU-**  
 23 **CATIONAL INSTITUTIONS.—”**; and

1 (B) in paragraph (2), by striking “IN-  
 2 JUNCTIONS.—”; and

3 (2) in paragraph (3) of subsection (j), by  
 4 amending the caption to read as follows:

5 “(3) NOTICE AND EX PARTE ORDERS.—”.

6 (e) INTEGRITY OF COPYRIGHT MANAGEMENT INFOR-  
 7 MATION.—Section 1202(e)(2)(B) of title 17, United  
 8 States Code, is amended by striking “category or works”  
 9 and inserting “category of works”.

10 (f) PROTECTION OF DESIGNS.—(1) Section 1302(5)  
 11 of title 17, United States Code, is amended by striking  
 12 “1 year” and inserting “2 years”.

13 (2) Section 1320(c) of title 17, United States Code,  
 14 is amended in the subsection caption by striking “AC-  
 15 KNOWLEDGEMENT” and inserting “ACKNOWLEDGMENT”.

16 (g) MISCELLANEOUS CLERICAL AMENDMENTS.—

17 (1) Section 101 of title 17, United States Code,  
 18 is amended—

19 (A) by transferring and inserting the defi-  
 20 nition of “United States work” after the defini-  
 21 tion of “United States”; and

22 (B) in the definition of “proprietor”, by  
 23 striking “A ‘proprietor’” and inserting “For  
 24 purposes of section 513, a ‘proprietor’”.

1 (2) Section 106 of title 17, United States Code,  
 2 is amended by striking “120” and inserting “121”.

3 (3) Section 118(e) of title 17, United States  
 4 Code, is amended—

5 (A) by striking “subsection (b).” and all  
 6 that follows through “Owners” and inserting  
 7 “subsection (b). Owners”; and

8 (B) by striking paragraph (2).

9 (4) Section 119(a)(8)(C)(ii) of title 17, United  
 10 States Code, is amended by striking “network’s sta-  
 11 tion” and inserting “network station’s”.

12 (5) Section 501(a) of title 17, United States  
 13 Code, is amended by striking “118” and inserting  
 14 “121”.

15 (6) Section 511(a) of title 17, United States  
 16 Code, is amended by striking “119” and inserting  
 17 “121”.

18 **SEC. 2. OTHER TECHNICAL CORRECTIONS.**

19 (a) CLERICAL AMENDMENT TO TITLE 28, U.S.C.—  
 20 The section heading for section 1400 of title 28, United  
 21 States Code, is amended to read as follows:

22 **“§ 1400. Patents and copyrights, mask works, and de-  
 23 signs”.**

24 (b) ELIMINATION OF CONFLICTING PROVISION.—  
 25 Section 5316 of title 5, United States Code, is amended

1 by striking “Commissioner of Patents, Department of  
2 Commerce.”.

3 (c) CLERICAL CORRECTION TO TITLE 35, U.S.C.—  
4 Section 3(d) of title 35, United States Code, is amended  
5 by striking “, United States Code”.

Passed the Senate July 1, 1999.

Attest:

*Secretary.*

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